

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
THOMAS EARL WILLIAMS,	:	VIOLATIONS:
JAMES BROWN,	:	18 U.S.C. § 371 (conspiracy to make
a/k/a “Herman Hall,”	:	false statements to a federally licensed
DELORIS PARKER	:	firearms dealer - 1 count)
JANET STREET	:	18 U.S.C. §§ 924(a)(1)(A) and 2
CHARLENE PARKER	:	(making false statements to a federally
LAVAR PARKER	:	licensed firearms dealer - 5 counts)
JAMES RIVERS	:	18 U.S.C. § 922(a)(6) (providing false
	:	information to a federal firearms
	:	licensee - 2 count)
	:	18 U.S.C. § 922(g)(1) (felon in
	:	possession of a firearm - 2 counts)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of additional factors
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. Defendants THOMAS EARL WILLIAMS and JAMES BROWN were barred from legally purchasing or possessing a firearm because they had previously been convicted of a felony crime for which they could be punished by more than one year imprisonment.
2. Delia’s Gun Shop, located at 6104 Torresdale Avenue, in Philadelphia,

Pennsylvania, was a federally licensed firearms dealer (“FFL”) and was authorized to deal in firearms under federal laws.

3. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

4. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she was the actual buyer of the firearm. The Form 4473 contained language warning that “[t]he federal firearms laws require that the individual filling out this form must be buying the firearm for himself or as a gift. Any individual who is not buying the firearm for himself/herself or as a gift, but who completes this form, violates the law.” A person who is not purchasing a firearm for himself or herself is known as a “straw purchaser.”

5. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder.

6. From in or about January 2004 to on or about March 2004, in the Eastern District of Pennsylvania and elsewhere, defendants

**THOMAS EARL WILLIAMS,
JAMES BROWN,
a/k/a/ “Herman Hall,”
DELORIS PARKER,
JANET STREET,
CHARLENE PARKER,
LAVAR PARKER, and**

JAMES RIVERS

conspired and agreed together and with persons known and unknown to the grand jury to commit an offense against the United States, that is, to knowingly make false statements and representations concerning information required to be kept by a federally licensed firearms dealer, specifically, the identity of the actual buyer of firearms, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

7. Defendants THOMAS EARL WILLIAMS and DELORIS PARKER solicited defendants JANET STREET, JAMES BROWN, CHARLENE PARKER and LAVAR PARKER (the “straw purchasers”) to purchase firearms on behalf of defendant THOMAS EARL WILLIAMS.

8. Defendant THOMAS EARL WILLIAMS instructed the straw purchasers concerning the type and number of firearms he wanted them to purchase and gave them money to purchase the requested firearms.

9. At the direction of defendant THOMAS EARL WILLIAMS, defendants JANET STREET, JAMES BROWN, JAMES RIVERS, CHARLENE PARKER and LAVAR PARKER entered Delia’s Gun Shop, completed the required ATF Form 4473, falsely represented that they were purchasing the firearms for himself or herself, paid for the firearms, and subsequently gave the firearms to defendant THOMAS EARL WILLIAMS.

OVERT ACTS

In furtherance of the conspiracy, defendants THOMAS EARL WILLIAMS,

JAMES BROWN, DELORIS PARKER, JANET STREET, CHARLENE PARKER, LAVAR PARKER and JAMES RIVERS committed the following overt acts, in the Eastern District of Pennsylvania and elsewhere:

THE JANUARY 20, 2004 ATTEMPTED FIREARMS PURCHASES

1. On or about January 20, 2004, at the direction of defendant THOMAS EARL WILLIAMS, defendant JAMES RIVERS went to the Delia's Gun Shop, filled out four ATF Form 4473s and attempted to purchase four firearms by falsely representing that he was purchasing the firearms for himself. Defendant RIVERS' application was rejected because of his prior criminal record.

THE JANUARY 21, 2004 FIREARMS PURCHASES

2. On or about January 21, 2004, at the direction of defendant THOMAS EARL WILLIAMS:

a. Defendant JAMES BROWN went to the Delia's Gun Shop, filled out ATF Form 4473, falsely represented that his name was Herman Hall and was purchasing firearms for himself and then paid for the purchase of four firearms, including: a .45 caliber BNA, serial number 1198; a .40 caliber TAS, serial # SSK47201; a .380 caliber ZZZ, serial number 014840; and a .44 caliber AMR, serial number ABO6550;

b. After taking possession of the firearms, defendant JAMES BROWN gave the firearms to defendant THOMAS EARL WILLIAMS.

THE FEBRUARY 4, 2004 FIREARMS PURCHASES

3. On or about February 4, 2004, at the direction of defendant THOMAS EARL WILLIAMS:

a. Defendant JANET STREET went to the Delia's Gun Shop, filled out ATF Form 4473, falsely represented that she was purchasing firearms for herself, and paid for the purchase of three firearms, including a Keltec, P-11, 9 mm pistol, serial number 13489; a Keltec, P-11, 9 mm, serial number 135504; and a Firestar, model Star, .45 cal. pistol, serial number 2061187.

b. After taking possession of the firearms, defendant JANET STREET gave the firearms to defendant THOMAS EARL WILLIAMS.

THE MARCH 6, 2004 FIREARMS PURCHASES

4. On or about March 6, 2004, at the direction of defendant THOMAS EARL WILLIAMS:

a. Defendant CHARLENE PARKER went to the Delia's Gun Shop, filled out ATF Form 4473, falsely represented that she was purchasing firearms for herself and paid for the purchase of a firearm, that is, a Keltec .380 handgun, serial number 4L46.

b. After taking possession of the firearms, defendant CHARLENE PARKER gave the firearms to defendant THOMAS EARL WILLIAMS.

THE MARCH 9, 2004 FIREARMS PURCHASES

5. On or about March 9, 2004, at the direction of defendant THOMAS EARL WILLIAMS:

a. Defendant CHARLENE PARKER went to the Delia's Gun Shop, filled out ATF Form 4473, falsely represented that she was purchasing firearms for herself and paid for the purchase of a firearm, that is, a Cobra Patriot .45, serial number M004327.

b. After taking possession of the firearm, defendant CHARLENE PARKER

gave the firearm to defendant THOMAS EARL WILLIAMS.

**THE MARCH 12, 2004 FIREARMS PURCHASES BY
DEFENDANT CHARLENE PARKER**

6. On or about March 12, 2004, at the direction of defendant THOMAS EARL WILLIAMS:

a. Defendant CHARLENE PARKER went to the Delia's Gun Shop, filled out ATF Form 4473, falsely represented that she was purchasing firearms for herself and paid for the purchase of two firearms including a Taurus 9 mm handgun, serial number TWF 82453; and a Daewoo .22 LR, model PD 52, serial number 400436.

b. After taking possession of the firearms, defendant CHARLENE PARKER gave the firearms to defendant THOMAS EARL WILLIAMS.

**THE MARCH 12, 2004 ATTEMPTED FIREARMS PURCHASES
BY DEFENDANT LAVAR PARKER**

7. On or about March 12, 2004, at the direction of defendant THOMAS EARL WILLIAMS, defendant LAVAR PARKER went to the Delia's Gun Shop, filled out ATF Form 4473 and falsely represented that he was purchasing firearms for himself. His application was rejected because of his criminal record.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 though 9 of Count One of this indictment are incorporated here.

2. On or about January 20, 2004, in the Eastern District of Pennsylvania, defendants

THOMAS EARL WILLIAMS and JAMES RIVERS,

in connection with the attempted acquisition of four firearms, that is, a Keltec P-11, 9 mm, semiautomatic pistol, serial number 134389, a Bersa, Model 95, .380 semiautomatic pistol, serial number 345382, a Star, Model BM, 9 mm, semiautomatic pistol, serial number 144206, and a Firestar, Model M-45, .45 semiautomatic pistol, from Delia's Gun Shop, an FFL, knowingly made, and aided and abetted and willfully caused the making of, a false and fictitious written statement intended and likely to deceive that dealer with respect to a fact material to the lawfulness of the sale of the firearms under the provisions of Chapter 44, Title 18, United States Code, in that, defendant JAMES RIVERS provided a written statement on Firearm Transaction Record, ATF Form 4473, certifying that he had not been convicted of a crime punishable by imprisonment for a term exceeding one year, knowing that statement was false and fictitious.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 9 of Count One of this indictment are incorporated here.

2. On or about January 21, 2004 in the Eastern District of Pennsylvania, defendants

**THOMAS EARL WILLIAMS and
JAMES BROWN,
a/k/a “Herman Hall,”**

in connection with the acquisition of four firearms, that is, a Star, Model S, .380 semiautomatic pistol, serial number 1893757, a Smith & Wesson, Model SW 380, .380 semiautomatic pistol, serial number RAF4026, a Norinco, Model M215, 9 mm. semiautomatic pistol, serial number 23015147, and a .380 semiautomatic pistol, serial number 550870, at Delia’s Gun Shop, an FFL, knowingly made, and aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Title 18, United States Code, Chapter 44, to be kept in the records of an FFL, in that defendant JAMES BROWN falsely represented on ATF Form 4473 that he was the actual buyer of the firearms listed below, when he knew his representation to be false, that is, he knew he was purchasing the firearms listed below for defendant THOMAS EARL WILLIAMS.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 though 9 of Count One of this indictment are incorporated here.
2. On or about February 4, 2004 in the Eastern District of Pennsylvania, defendants

**THOMAS EARL WILLIAMS,
DELORIS PARKER, and
JANET STREET,**

in connection with the acquisition of three firearms, that is, a Keltec, Model P-11, 9 mm. semiautomatic pistol, serial number 135504, a Firestar, Model Star, .45 semiautomatic pistol, serial number 2061187, and a Keltec, Model P-11, 9 mm. semiautomatic pistol, serial number 134389, at Delia's Gun Shop, an FFL, knowingly made, and aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Title 18, United States Code, Chapter 44, to be kept in the records of an FFL, in that defendant JANET STREET falsely represented on ATF Form 4473 that she was the actual buyer of the firearms listed below, when she knew her representation to be false, that is, she knew she was purchasing the firearms for defendant THOMAS EARL WILLIAMS:

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNTS FIVE THROUGH SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 though 9 of Count One of this indictment are incorporated here.

2. On or about the dates listed in the chart below, in the Eastern District of Pennsylvania, defendants

**THOMAS EARL WILLIAMS and
CHARLENE PARKER,**

in connection with the acquisition of the firearms listed below at Delia's Gun Shop, an FFL, knowingly made, and aided and abetted and willfully caused the making of, a false statement and representation with respect to information required by the provisions of Title 18, United States Code, Chapter 44, to be kept in the records of an FFL, in that defendant CHARLENE PARKER falsely represented on ATF Form 4473 that she was the actual buyer of the firearms listed below, when she knew her representation to be false, that is, she knew she was purchasing the firearms for defendant THOMAS EARL WILLIAMS:

Count	Date	Firearm
5	3/06/04	Keltec, Model P3AT, .380 semiautomatic pistol, serial number H4L46
6	3/06/04	Cobra, Model Patriot 45, .45 semiautomatic pistol, serial number M004327
7	3/12/04	Daewoo, Model DP 52, .22 semiautomatic pistol, serial number 400436 Taurus, Model PT111, 9 mm. semiautomatic pistol, serial number TWF82453

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 9 of Count One of this indictment are incorporated here.

2. On or about March 12, 2004, in the Eastern District of Pennsylvania, defendants

**THOMAS EARL WILLIAMS and
LAVAR PARKER,**

in connection with the attempted acquisition of two firearms, that is, a Daewoo, Model DP 52, .22 semiautomatic pistol, serial number 400436 and a Taurus, Model PT111, 9 mm.

semiautomatic pistol, serial number TWE65569, at Delia's Gun Shop, an FFL, knowingly made, and aided and abetted and willfully caused the making of, a false and fictitious written statement intended and likely to deceive that dealer with respect to a fact material to the lawfulness of the sale of the firearms under the provisions of Chapter 44, Title 18, United States Code, in that defendant LAVAR PARKER provided a written statement on Firearm Transaction Record, ATF Form 4473, certifying that was not under an indictment or an information in any court for a felony, or any other crime for which a court could imprison him for more than one year, and that he had never been convicted in any court of a felony or any other crime for which the court could have imprisoned him for more than one year knowing that such statements were false and fictitious.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 9 of Count One of this indictment are incorporated here.

2. On or about February 4, 2004, in the Eastern District of Pennsylvania, defendant
THOMAS EARL WILLIAMS,
having previously been convicted in a court of the State of New Jersey for an offense punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce, a firearm, that is, a Keltec, Model P-11, 9 mm semiautomatic pistol, serial number 134389.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5 and 7 through 9 of Count One of this indictment are incorporated here.

2. On or about January 21, 2004, in the Eastern District of Pennsylvania, defendant

**JAMES BROWN,
a/k/a “Herman Hall”**

having previously been convicted in a court of State of New Jersey for an offense punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate or foreign commerce, a firearm, that is, a Taurus, Model PT 145, .45 semiautomatic pistol, serial number NUG69976.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts Three, Four, and Five through Nine of this indictment, defendant **THOMAS EARL WILLIAMS**

a. Was a prohibited person at the time the defendant committed the instant offense, as described in U.S.S.G. § 2K1.3(a)(4).

b. Committed an offense involving 8 to 24 firearms, as described in U.S.S.G. § 2K2.1(b)(1)(B).

c. Willfully obstructed and impeded and attempted to obstruct and impede, the administration of justice during the course of the investigation and prosecution of the instant offense of conviction, and the obstructive conduct related to the defendant's instant offense and relevant conduct, as described in U.S.S.G. § 3C1.1.

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts Three and Ten of this indictment, defendant **JAMES BROWN, a/k/a “Herman Hall,”**

a. Was a prohibited person at the time the defendant committed the instant offense, as described in U.S.S.G. § 2K1.3(a)(4).

b. Committed an offense involving 3 to 7 firearms, as described in U.S.S.G. § 2K2.1(b)(1)(B).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts Five through Seven of this indictment, defendant **CHARLENE PARKER**

a. Committed an offense involving 3 to 7 firearms, as described in U.S.S.G. § 2K2.1(b)(1)(B).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count Four of this indictment,
defendant **JANET STREET**

a. Committed an offense involving 3 to 7 firearms, as described
in U.S.S.G. § 2K2.1(b)(1)(B).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(a)(1)(A) and 922(g)(1) set forth in this indictment, defendants

**THOMAS EARL WILLIAMS
JAMES BROWN
a/k/a “Herman Hall,”
DELORIS PARKER,
JANET STREET,
CHARLENE PARKER,
LAVAR PARKER, and
JAMES RIVERS**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), all firearms involved in the commission of these offenses, including, but not limited to:

- Taurus, Model PT 145, .45 semiautomatic pistol, serial number NUG69976
- Star, Model S, .380 semiautomatic pistol, serial number 1893757
- Smith & Wesson, Model SW 380, .380 semiautomatic pistol, serial number RAF4026
- Norinco, Model M215, 9 mm. semiautomatic pistol, serial number 23015147
- .380 semiautomatic pistol, serial number 550870
- Cobra, Model Patriot 45, .45 semiautomatic pistol, serial number M004327

- Keltec, Model P3AT, .380 semiautomatic pistol, serial number H4L46
- Daewoo, Model DP 52, .22 semiautomatic pistol, serial number 400436
- Keltec, Model P-11, 9 mm. semiautomatic pistol, serial number 135504,
- Firestar, Model Star, .45 semiautomatic pistol, serial number 2061187
- Keltec, Model P-11, 9 mm. semiautomatic pistol, serial number 134389
- Taurus, Model PT111, 9 mm. semiautomatic pistol, serial number TWF82453

All pursuant to Title 28, United States Code Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY